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EXAMINER

SHAND, ROBERTA A

ART UNIT PAPER NUMBER

2665

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/606,788

Applicant(s)

TAMSIL, YOSEF RIZAL

Examiner

Roberta A. Shand

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites the limitation "the network" on line 11. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang (U.S. 2003/0091028 A1).

3. Regarding claim 1, Chang teaches (figs. 54 and 55) a method for providing supplementary services in a packet voice network, comprising: receiving list of information elements from a sending station (34) in a PBX network; inserting the list into a call control message such that ant supplementary services (placing a call on hold, paragraph 236) is preserved, wherein supplementary services are services that rely on upon the presence of another service; including a locally significant message in a globally significant message (VoIP) in a

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PBX network wherein the supplementary services information in the locally significant message is preserved (the locally significant message is PBX messages having services such as such as call waiting, paragraph 230, and call hold, paragraph 236 and the globally significant message is the IP which encapsulates the PBX data), wherein the locally significant message is otherwise not transmitted to other stations on the network; and sending the call control message and the globally significant message to a receiving station (134) in a PBX network.

4. Regarding claim 13, Chang teaches (figs. 54 and 55) a computer readable medium containing software code, including code operable to receiving supplementary services information from a sending station (34), wherein supplementary services (placing a call on hold, paragraph 236) are services that rely on upon the presence of another service; code operable to insert the supplementary services information into a call control message; code operable to include a locally significant message in a globally significant message (VoIP), wherein the locally significant message is otherwise not transmitted to other stations on the network (the locally significant message is PBX messages having services such as such as call waiting, paragraph 230, and call hold, paragraph 236 and the globally significant message is the IP which encapsulates the PBX data); and code operable to send the call control message and the globally significant message to a receiving station (134).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-9, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Thorton (U.S. 636065 B1).

7. Regarding claim 2, Chang teaches all of the limitation of claim 1.

8. Chang does not teach Q.931 messages.

9. Thorton teaches (fig. 5) Q.931 message (577). It would have been obvious to one of ordinary skill in the art to adapt this to Chang's system as it is well known in the art.

10. Regarding claim 3, Thorton teaches (col. 25, lines 46-67) appending the information elements to a call control message for a voice over packet network.

11. Regarding claim 4, Thorton teaches (abstract) H.225 messages.

12. Regarding claim 5, Thorton teaches (col. 9, lines 47-49) the packet network comprises one of voice over FR, voice over IP and voice over ATM.

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13. Regarding claim 6, Thorton teaches (fig. 18) the locally significant message comprises a release message.

14. Regarding claim 7, Thorton teaches (fig. 18) the locally significant message comprises a release complete message.

15. Regarding claim 8, Thorton teaches (fig. 18) the globally significant message comprises a disconnect message.

16. Regarding claim 9, Thorton teaches (col. 34, lines 44-61) the globally significant message comprises a facility message.

17. Regarding claim 14, as for the medium being a downloadable file distributed across a network, it would have been obvious to one of ordinary skill in the art to adapt this to Chang's system as it is well known in the art.

18. Regarding claim 15, as for the medium being a computer file transferred from a directly connecting computing device, it would have been obvious to one of ordinary skill in the art to adapt this to Chang's system as it is well known in the art.

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19. Claims 10-12, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorton in view of Chang.

20. Regarding claim 10, Thorton teaches (fig. 23) a network device for providing supplementary services in a packet voice network, comprising: a first communication device (14) operable to communicate with a sending node (200); a second communication device (44) operable to communicate with a receiving node (200'); and a tandem node (420, 460) operable to transfer information from the first communication device to the second communication device such that the information is transferred to the receiving node after the sending node sends a disconnect message (col. 59, lines 1-60).

21. Thorton does not explicitly teach supplementary services acquired from a locally significant message not otherwise transmitted past the first communication device and included in a globally significant message.

22. Chang teaches (paragraphs 230-236 and figs. 54 and 55) supplementary services acquired from a locally significant message not otherwise transmitted past the first communication device and included in a globally significant message. It would have been obvious to one of ordinary skill in the art to adapt this to Thorton's system to take advantage of every PBX type service (supplementary service) in the VoIP network system.

23. Regarding claim 11, Thorton teaches (fig 1.) the communication devices have routers.

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24. Regarding claim 12, Thorton teaches (fig. 1) the communication devices are part of one router.

25. Regarding claim 16, Thorton teaches (fig. 23) a network device operable to provide information, comprising a first means (14) for communicating with sending node (200); a second means (44) for communicating with receiving node (200'); and means (420, 460) for transferring a locally significant message from the first to the second means.

26. Thorton does not explicitly teach supplementary services.

27. Chang teaches (paragraphs 230-236 and figs. 54 and 55) supplementary services. It would have been obvious to one of ordinary skill in the art to adapt this to Thorton's system to take advantage of every PBX type service (supplementary service) in the VoIP network system.

28. Regarding claim 17, Thorton teaches (fig. 23) a network device operable to provide information, comprising a first communication device (14) operable to communicate with a sending node (200); a second communication device (44) operable to communicate with receiving node (200'); and wherein the first device is operable to transfer information to the second device such that the information is transferred to the receiving node after a sending node sends a disconnect message (col. 59, lines 1-60).

29. Thorton does not explicitly teach supplementary services.

30. Chang teaches (paragraphs 230-236 and figs. 54 and 55) supplementary services. It would have been obvious to one of ordinary skill in the art to adapt this to Thorton's system to take advantage of every PBX type service (supplementary service) in the VoIP network system.

***Conclusion***

31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

32. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

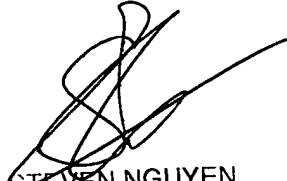
33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.

34. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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35. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roberta A Shand  
Examiner  
Art Unit 2665



STEVEN NGUYEN  
PRIMARY EXAMINER